

**BOUTIN JONES INC.**

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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

BANK OF AMERICA, N.A., a national  
banking association,

Plaintiff,

vs.

CAPITAL MED FARMS, LLC, a California  
limited liability company; GOLDEN STATE  
FARM CREDIT, FLCA, a federal Farm  
Credit System institution; GOOD EARTH  
PARTNERS LP, a California limited  
partnership; JIM TRAYNHAM, an  
individual; JAMIE TRAYNHAM, an  
individual; MF FARMS, INC., a California  
agricultural collective; NAVA FARMS, INC.,  
a California corporation; PACIFIC REALTY  
ASSOCIATES, L.P. dba M&T CHICO  
RANCH, a Delaware limited partnership;  
RANDOLPH SALVESON, an individual;

**Case No. 2:24-cv-02309-DJC-CKD**

**JOINT STIPULATION TO EXTEND  
DEADLINE TO RESPOND TO FIRST  
AMENDED COMPLAINT AND TO SET  
BRIEFING SCHEDULE; ORDER**

Complaint Filed: August 23, 2024

First Amended  
Complaint Filed: September 27, 2024

SIERRA ORCHARDS, L.P., a California limited partnership; and TSB AG INC., a California Corporation; AFFENTRANGER FARMS, LLC, a California limited liability company; ALLEN JASCHKE, an individual; BARRIOS BROS., INC., a California corporation; CHARLES HERMLE FARMS, INC., a California corporation; DANNA FARMS INC., a California corporation; DARREL PARSLEY, an individual; FEDORA FARMS, INC., a California corporation; GRACIE BELLE FARMS, LLC, a California limited liability company; JERRY M. SEIBERT FARMS, INC, a California corporation.; JOE YEUNG FARMS, INC., a California corporation; JUST FARMS LP, a California limited partnership; LINDAUER FARM MANAGEMENT, INC., a California corporation; LLANO SECO MEATS ,LLC, a California limited liability company; M & C MYERS, INC. dba MYERS SEED, a California corporation; MARY TRAYNHAM, an individual; MUMMA BROTHERS, a general partnership; NOR CAL NUT CO, a California corporation; PB ORCHARDS, LLC, a California limited liability company; PEARSON FARMS, a general partnership; PUTAH CREEK FARMING CO., a California corporation; RIVER VISTA FARMS LLC, a California limited liability company; ROMINGER BROTHERS FARMS, INC., a California corporation; STRAIN FARMING JOINTVENTURE, L.P., a California limited partnership ;and ZANE AMARO d/b/a ZANE AMARO FARMS, an individual. [XXX], and DOES 1 through [10], inclusive,

Defendants.

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**STIPULATION**

Plaintiff Bank of America, N.A. (“BOA”) on the one hand, and Defendants Nava Farms, Inc. (“Nava Farms”), Good Earth Partners, LP (“Good Earth”), Danna Farms Inc. (“Danna Farms”), Putah Creek Farming Co. (“Putah Creek Farming”), Gracie Belle Farms, LLC (“Gracie Belle”) and Barrios Bros. Inc. (“Barrios Bros.”) (collectively referred to as the “Boutin Jones Defendants”) on the other hand, by and through their undersigned attorneys, hereby stipulate as set forth below:

**RECITALS**

WHEREAS, on August 23, 2024, BOA filed a Complaint for Declaratory Judgment in the United States District Court, Eastern District of California, Case No. 2:24-cv-02309-CKD against several defendants, including Nava Farms and Good Earth.

WHEREAS, on September 27, 2024, BOA filed its First Amended Complaint for Declaratory Judgment which named additional defendants, including Danna Farms, Putah Creek Farming, Gracie Belle, and Barrios Bros.

WHEREAS, Boutin Jones Inc. represents each of the Boutin Jones Defendants.

WHEREAS, BOA and the Boutin Jones Defendants (collectively, the “Parties”) have previously agreed to extend the responsive date for the Boutin Jones Defendants to December 3, 2024.

WHEREAS, on October 31, 2024, TSB Ag. Inc. (“TSB”) (another defendant named in the FAC), filed a motion to dismiss the FAC (“TSB’s Motion”) which was originally set for hearing on February 6, 2024.

WHEREAS, on November 8, 2024, BOA and TSB stipulated to continue the hearing date for the TSB Motion to March 20, 2024 and further stipulated to an alternate briefing schedule.

WHEREAS, the Boutin Jones Defendants plan to file a consolidated motion to dismiss the FAC (the “Boutin Jones Motion to Dismiss”).

WHEREAS, on November 25, 2024, the Courtroom Deputy notified the Boutin Jones Defendants that the Court could hear the Boutin Jones Motion to Dismiss on March 20, 2024, concurrent with TSB’s Motion to Dismiss.

WHEREAS, the Parties agree to extend the Boutin Jones Defendants’ responsive deadline so

1 that the Boutin Jones Motion to Dismiss may be filed on or before December 20, 2024.

2 WHEREAS, the Parties further agree to set an alternate briefing schedule related to the Boutin  
3 Jones Motion to Dismiss.

4 NOW THEREFORE, for and in consideration of the recitals set forth above and incorporated herein,  
5 the Parties hereby request the Court order the following:

- 6 1. The Boutin Jones Defendants' deadline to respond to the FAC shall be extended so that the  
7 Boutin Jones Motion to Dismiss shall be filed on or before December 20, 2024;
- 8 2. The hearing date on the Boutin Jones Motion to Dismiss be set for March 20, 2025 at 1:30  
9 p.m.
- 10 3. BOA shall file an opposition to the Boutin Jones Motion to Dismiss no later than January  
11 24, 2025; and
- 12 4. The Boutin Jones Defendants shall file a reply brief in support of the Boutin Jones Motion  
13 Dismiss no later than February 20, 2025.

14 DATED: November 27, 2024

BOUTIN JONES INC.

15 /s/ Robert D. Swanson

16 By: \_\_\_\_\_

17 Robert D. Swanson  
18 Attorneys for Defendants Nava Farms, Inc., Good  
19 Earth Partners, LP, Danna Farms Inc., Putah  
Creek Farming Co., Gracie Belle Farms, LLC,  
and Barrios Bros. Inc.

20 DATED: November 27, 2024

HOLLAND & KNIGHT LLP

21 /s/ Kristina S. Azlin  
22 (as authorized on 11/27/24)


23 By: \_\_\_\_\_

24 Kristina S. Azlin  
Attorneys for Plaintiff Bank of America, N.A.

25 **ORDER**

26 **IT IS SO ORDERED.**

27 DATED: November 27, 2024

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THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE